

Claim 8 stands rejected under 35 U.S.C. 103 over Styczynski et al in view of Protopapa et al (US '791 and EP '069), Seiberg, Monsheimer et al, Krajakovea et al, Minami, Wolf et al and Pfleiderer. The Examiner has characterized Styczynski as disclosing matrix metalloproteinases (MMPs), which the Examiner asserts are also endopeptidases. The secondary references have been used by the Examiner to suggest the second component of the composition, namely the various proteolytic enzymes, and indicating that since the proteolytic enzymes are used in the secondary references as either hair growth inhibitors or for the production of products to be applied to the hair or skin. However, as noted during the discussion of March 13, while Styczynski does teach MMPs (in particular 9 specific MMPs at pages 1-2) and the Examiner's assertion that MMP's are known to be endopeptidases may be correct, Applicants note that Styczynski does not teach or suggest an inhibitor of a neutral endopeptidase.

As noted during the March 13 discussion, there are approximately 270 classes of endopeptidase, which are broken out into four main groups: the metalloproteinases (about 80 classes), the serinproteinases (about 100 classes), the carboxylproteinases (about 45 classes) and the thiolproteinases (about 45 classes). Of the metalloproteinases, the class of neutral endopeptidases is only one of the 80 classes. Accordingly, even though Styczynski discloses matrix metalloproteinases, it says nothing with respect to neutral endopeptidases, and in fact nowhere suggests the use of a neutral endopeptidase.

As requested by the Examiner, Applicants provide herewith a listing of the many classes of metalloproteinase, with each of MMP1, MMP2, MMP3, MMP7, MMP8 and MMP9 listed (also provided are individual printouts relating to each of these compounds, providing alternative names and identifiers; Applicants note that similar listings for MMPs 4-

6 were not found). Also pointed out is neutral endopeptidase, also known as neprilysin, membrane metalloendopeptidase (as opposed to matrix metalloproteinase), kidney-brush-border neutral proteinase, enkephalinase or endopeptidase-2. As can be clearly seen from this listing, neutral endopeptidase is a completely separate class from the MMP's and particularly the MMP's described by Styczynski. As such, there can be no suggestion by Styczynski to use an inhibitor of neutral endopeptidase as part of a hair growth inhibiting composition.

None of the secondary references overcome this deficiency of Styczynski, since none of the secondary references discloses or suggests anything about a neutral endopeptidase or inhibitors thereof. Accordingly, the rejection should be withdrawn.

Applicants note that none of the references relate to an elastase inhibitor, and as such, new claim 9 which requires the combination of elastase inhibitor and the proteolytic enzyme(s) is believed to be allowable.

In response to the Examiner's comments and reminder regarding the continuation application information being inserted into the first page of the application (which Applicants appreciate), Applicants direct the Examiner's attention to the new application transmittal sheet filed with the present application, in the box numbered 18, which instructs the Office to amend the first page of the specification by inserting the continuation application information. If this is not deemed sufficient, the Examiner is requested to contact Applicants' representative, at which time a formal amendment adding that information will be provided.

Applicants submit this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

J .Derek Mason, Ph.D.
Registration No. 35, 270



22850

Telephone: (703) 413-3000
Facsimile: (703) 413-2220
JDM

218881US0CONT

Marked-Up Copy
Serial No.: 10/067,941
Amendment Filed on:

IN THE CLAIMS

Please cancel claims 1, 3, 4, 7 and 8 and add the following new claims:

--9. (New)

10. (New).--